

Message Text

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ORIGIN STR-04

INFO OCT-01 IO-10 ISO-00 EB-07 FEA-01 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05

L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15

TAR-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01 OIC-02

AF-06 ARA-06 EA-07 EUR-12 NEA-10 /134 R

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APPROVED BY STR/RMATTHEISEN

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FM SECSTATE WASHDC

TO USDEL MTN GENEVA PRIORITY

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E.O. 11652: N/A

TAGS: ETRD, GATT

SUBJECT: MEETING OF SUBGROUP ON QUANTITATIVE RESTRICTIONS

1. ONE OF THE RECOMMENDATIONS IN THE POSITION PAPER FOR THIS MEETING PROPOSES AN ALTERNATIVE TO THE PROCEDURES SUGGESTED BY THE GATT SECRETARIAT (MTN/NTM/21) FOR REPORTING RESULTS OF QR CONSULTATIONS. MISSION MAY WISH TO GIVE SECRETARIAT BEFORE MEETING TEXT OF FORMAT IN PARA 3 BELOW FOR CIRCULATION TO SUBGROUP. (NEWKIRK WILL HAND CARRY ENTIRE PAPER.)

2. RELEVANT PORTION OF BACKGROUND SECTION OF POSITION PAPER IS AS FOLLOWS:

(A) "PARA 7 OF MTN/NTM/W/2L SETS FORTH A SECRETARIAT

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PROPOSAL FOR REPORTING THE RESULTS OF THE CONSULTATIONS.

THE PROPOSAL ENVISAGES ORAL REPORTS BY THE EXPORTING COUNTRIES WITH RESPECT TO ALL CONSULTATIONS OR DISCUSSIONS THEY REQUESTED; COUNTRIES MAINTAINING THE RESTRICTIONS WOULD THEN HAVE THE RIGHT TO MAKE COMMENTS ON THESE REPORTS.

(B) "WE DO NOT FAVOR THE PROPOSAL FOR A NUMBER OF REASONS. FIRST, WE THINK WRITTEN REPORTS WOULD PROVIDE A BETTER BASIS FOR FURTHER WORK. SECONDLY, WE BELIEVE IT

WOULD BE BETTER TO HAVE FACTUAL REPORTS MADE BY THE COUNTRIES PARTICIPATING IN THE CONSULTATIONS THAT REFLECT THEIR UNDERSTANDING OF THE CONTENT AND RESULTS OF THE CONSULTATIONS. THE REPORTS MIGHT REFLECT DIVERGENT VIEWS; HOWEVER, TO THE EXTENT POSSIBLE, THE REPORTS SHOULD BE AGREED.

(C) "A MAJOR OBJECTIVE IN FORMULATING REPORTING PROCEDURES IS TO REQUIRE OTHER COUNTRIES TO CLARIFY AND TO JUSTIFY THEIR RESTRICTIONS. IN MANY INSTANCES THE JUSTIFICATION GIVEN IN THE JOINT WORKING GROUP INVENTORY OF NON-TARIFF MEASURES IS SO GENERAL OR VAGUE THAT IT IS DIFFICULT TO TELL UNDER WHAT GATT ARTICLE THESE RESTRICTIONS MIGHT BE JUSTIFIED. THROUGH THIS PROCESS OF EXPOSING PARTICULAR QRS AS BEING UNJUSTIFIABLE, THE UNITED STATES MAY GAIN GREATER SUPPORT FOR ITS CALL FOR THE ELIMINATION OF 'ILLEGAL' QRS WITHOUT GRANTING COMPENSATION."

3. FORMAT SUGGESTED BY THE UNITED STATES DELEGATION FOR REPORTING RESULTS OF CONSULTATIONS ON QUANTITATIVE RESTRICTIONS:

(A) COUNTRIES PARTICIPATING IN THE CONSULTATION.

(B) COUNTRY MAINTAINING THE RESTRICTION.

(C) PRODUCTS AFFECTED (INCLUDING BTN NUMBERS IF FEASIBLE).

(D) DURATION OF RESTRICTION.

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(E) TYPE OF RESTRICTIONS (I.E., DISCRETIONARY LICENSING, SEASONAL RESTRICTION, GLOBAL QUOTA, BILATERAL QUOTA, EXPORT RESTRICTION, EXPORT RESTRAINT, MIXING REGULATION, STATE TRADING, OTHER. WHERE OTHER IS INDICATED, A DETAILED EXPLANATION IS REQUIRED.)

(F) JUSTIFICATION FOR RESTRICTION (INCLUDING GATT ARTICLE WHERE APPROPRIATE).

(G) COMMENTS BY PARTICIPANTS. INGERSOLL

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